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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA,

11 Respondent,

2:97-cr-0216-GEB-DAD-P

12 vs.

13 LLOYD RAY WINBURN,

14 Movant.

ORDER

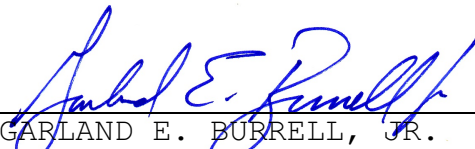
15 _____/
16 Movant, a former federal prisoner proceeding pro se, has filed a motion to vacate,
17 set aside or correct his sentence pursuant to 28 U.S.C. § 2255. The matter was referred to a
18 United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local General Order
19 No. 262.

20 On October 9, 2007, the magistrate judge filed findings and recommendations
21 herein which were served on all parties and which contained notice to all parties that any
22 objections to the findings and recommendations were to be filed within twenty days. Neither
23 party has filed objections to the findings and recommendations.

24 The court has reviewed the file and finds the findings and recommendations to be
25 supported by the record and by the magistrate judge's analysis. Accordingly, IT IS HEREBY
26 ORDERED that:

- 1 1. The findings and recommendations filed October 9, 2007, are adopted in full;
- 2 2. Movant's December 4, 2002 amended motion to vacate, set aside, or correct
- 3 his sentence pursuant to § 2255 is dismissed without prejudice; and
- 4 3. The Clerk of the Court is directed to close the companion civil case, No.
- 5 CIV S-02-2207 GEB DAD P.

6 Dated: November 28, 2007

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9 GARLAND E. BURRELL, JR.
United States District Judge